## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78279

Hideo WADA, et al.

Appln. No.: Unknown

Group Art Unit: Unknown

Confirmation No.: Unknown

Examiner: Unknown

Filed: October 31, 2003

For: THER

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CONSTANT AND METHOD OF PRODUCING THE SAME

## <u>UNDER 37 C.F.R. §§ 1.97 and 1.98</u>

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

- Japanese Unexamined Patent Application Publication No. 2001-215151, published August 10, 2001.
- Japanese Unexamined Patent Application Publication No. 2001-153720, published
   June 8, 2001.
- Japanese Unexamined Patent Application Publication No. 11-330051, published
   November 30, 1999.

## INFORMATION DISCLOSURE STATEMENT

- 4. U.S. Patent No. 6,528,789 issued March 4, 2003.
- 5. U.S. Patent No. 6,046,485 issued April 4, 2000.
- 6. U.S. Patent No. 6,333,270 issued December 25, 2001.
- 7. P. Handel, "Quantum approach to 1/f noise", Physical Review A, Vol. 22, No. 2, (August 1980), pp. 745-757.
- 8. U.S. Patent No. 6,448,557 issued September 10, 2002.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant states that above references 1-3 are discussed within the specification beginning at page 1, line 13, page 3, line 10 and page 13, line 21.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Hideo WADA et al. Q78279
INFORMATION DISCLOSURE STATEMENT

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

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Registration No. 24,625

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 $\frac{\text{WASHINGTON OFFICE}}{23373}$ 

CUSTOMER NUMBER

Date: October 31, 2003

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Substitute for Form 1449 A & B/PTO				Complete if Known			
	.,	i i		Application Number	Unknown		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			SURE	Confirmation Number	Unknown		
			CANT	Filing Date	October 31, 2003		
				First Named Inventor	Hideo WADA		
(use as many sheets as necessary)			ry)	Art Unit	Unknown		
				Examiner Name	Unknown		
Sheet	1	of	1	Attorney Docket Number	O78279		

U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		D 111 (1 D .			
		Number	Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Docume		
		US 6,528,789	Bl	03/04/2003	Oda		
		US 6,046,485	Α	04/04/2000	Cole et al.		
		US 6,333,270	B1	12/25/2001	Sasaki		
		US 6,448,557	B2	09/10/2002	Oda		
		US					
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FOREIGN PATENT DOCUMENTS							
	Cite	Foreign Patent Document			Publication Date	Name of Patentee or	
	No.1	Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Translation <sup>6</sup>
		JР	2001-215151	Α	08/10/2001	**-	
		JP	2001-153720	Α	06/08/2001		
		JР	11-330051	A	11/30/1999		
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NON PATENT LITERATURE DOCUMENTS					
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	P. Handel, "Quantum approach to 1/f noise", Physical Review A, Vol. 22, No. 2, (August 1980), pp. 745-757.				
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English